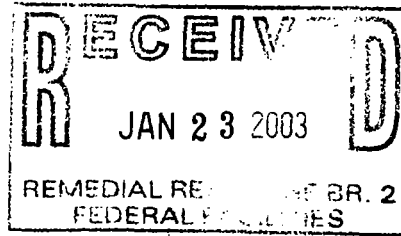




Working For You Today And Tomorrow

Legal Department  
1065 Woodman Drive  
Dayton Ohio 45432

(937) 259-7348 Direct Dial  
(937) 259-7178 Telefax  
e-mail: Athan.Vincelus@dpnl.com



EPA Region 5 Records Ctr.



368661

January 17, 2003

**VIA ELECTRONIC MAIL AND CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

U.S. Environmental Protection Agency  
Deena Sheppard-Johnson, SR-6J  
Remedial Enforcement Support Section  
77 West Jackson Blvd.  
Chicago, Illinois 60604

Re: The Dayton Power and Light Company's Response To U.S EPA's Additional Information Request for The South Dayton Dump

Dear Ms. Sheppard-Johnson:

The Dayton Power and Light Company ("DP&L") hereby responds to the United States Environmental Protection Agency's ("U.S. EPA") December 10, 2002 request for additional information ("Additional Information Request") for the South Dayton Dump ("Site"). On August 14, 2002, DP&L requested and received from you an extension of time in which to respond to U.S. EPA's original July 18, 2002 Information Request. On September 11, 2002, within the time U.S. EPA granted in its extension, DP&L responded to the July 18, 2002 Information Request.

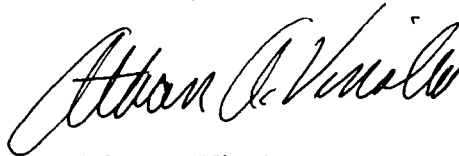
DP&L objects to the Additional Information Request and its instructions as being vague, ambiguous, and overly broad. Further, DP&L objects to questions seeking information wholly unrelated to the Site. DP&L specifically denies any liability and/or wrongdoing that may be alleged as a result of the Site investigation. Notwithstanding the above objections, and while reserving all rights, DP&L provides the enclosed response to the best of its ability based on information that DP&L possesses at this time. DP&L reserves the right to subsequently supplement this response as DP&L obtains or becomes aware of additional relevant information.

Notwithstanding the above objections, denial of liability and reservation of rights, enclosed are the following: (1) answer to U.S. EPA's Additional Information Request; and (2) the affidavit of Amy H. Wright.

U.S. Environmental Protection Agency  
Deena Sheppard-Johnson, SR-6J  
January 17, 2003  
Page 2 of 2

I trust that the enclosed materials satisfy U.S. EPA's Additional Information Request. Please continue to send all future correspondence or notices in this matter to my attention. Please also send copies to Martha E. Horvitz, Bricker & Eckler, LLP, 100 S. Third Street, Columbus, Ohio 43215. If DP&L may be of further assistance, please contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Athan A. Vinolus". The signature is fluid and cursive, with the first name "Athan" being more prominent.

Athan A. Vinolus  
Environmental and  
Regulatory Counsel

Enclosures

cc: Martha Horvitz, Bricker & Eckler, LLP

**The Dayton Power and Light Company's  
Response to U.S. EPA's Request for Additional  
Information for the South Dayton Dump Site**

**Additional Information Request:** Where did DP&L dispose of its fly ash?

**Response:** DP&L presently owns and operates three electric generating stations that produce fly ash. Two of these facilities are located over one hundred ten (110) miles away, in Adams and Brown Counties, on the Ohio River ("Ohio River Facilities"). The two Ohio River Facilities account for approximately 89 percent of the available generating capacity of these three generating units. The fly ash from the Ohio River Facilities has been and continues to be disposed onsite, in Adams and Brown Counties, Ohio, in either an ash pond or monofill. Fly ash from the Ohio River Facilities was never disposed in or transported to the Dayton, Ohio vicinity.

The smaller amount of fly ash DP&L generated in the Dayton vicinity was and continues to be disposed in several manners. Over the past years, all fly ash generated by DP&L in the Dayton vicinity was disposed or used in the following manner: used with other material as daily cover material at a licensed landfill (other than the South Dayton Dump); beneficial re-use and/or disposal at two material or ash companies; disposed or re-used by a gravel company; fill material on-site; beneficial re-use for concrete; offsite fill material for other property owners; disposed at three other landfills (other than the South Dayton Dump); disposed at South Dayton Dump; used as sludge thickener at a local paper company; and beneficial re-use as base material for horse racing track on private property.

**BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

State of Ohio  
County of Montgomery

)  
) ss  
)

I, Amy H. Wright, being first duly sworn and cautioned state that:


1) I am employed by The Dayton Power and Light Company ("DP&L") as the Director of Environmental Management. I have coordinated and assembled the response in the attached document.

2) I certify under penalty of law that this document was prepared under my direction or supervision, and that DP&L has conducted a thorough and diligent record search in its effort to accurately respond to and answer the attached additional question from U.S. EPA.

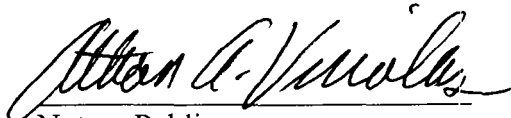
3) Based upon my inquiry of records and the person or persons who manage such records, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

4) The information provided by me in this affidavit is based in part upon my personal knowledge and/or personal knowledge of past or present DP&L employees and is, to the best of my knowledge and belief, true and accurate.

**AFFIANT FURTHER SAYETH NAUGHT**

  
\_\_\_\_\_  
Amy H. Wright

Sworn to before me and subscribed in my presence this 17<sup>th</sup> day of January, 2003.

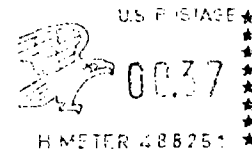
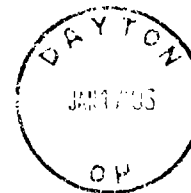
  
\_\_\_\_\_  
Notary Public

ATTORNEY AT LAW  
Notary Public, State of Ohio  
My Commission has no expiration date  
Session 47 13 1 2 3



Working For You Today And Tomorrow

The Dayton Power and Light Company  
P.O. Box 8825  
Dayton, Ohio 45401  
1065 Woodman Drive  
Dayton, OH 45432



U.S. Environmental Protection Agency  
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